

SENATE BILL 27 of the Second Extraordinary Session
By Blackburn

AN ACT to amend Tennessee Code Annotated, Title 67, relative to requiring a referendum on the imposition or increase of any tax measured by income earned by or paid to individuals.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. (a) Notwithstanding any other provision of law to the contrary, the collection of any tax imposed or increased by the general assembly measured by income earned by or paid to an individual in the form of wages, salaries, commissions, or other form of compensation in exchange for such individual's labor or services, shall be suspended until such action is approved in a general state-wide election by a majority of qualified voters as defined in §2-2-102 voting in the election.

(b) Following the enactment or increase of such a tax by the general assembly and prior to its implementation, there shall be submitted to the people of the state at the regular November general election next following the passage or increase of such a tax, one (1) question to be printed in full on each ballot or voting machine as to whether such a tax should be imposed, increased or collected, providing options to vote "FOR" or "AGAINST" the imposition, increase or collection of such a tax.

(c) The proper officers in all counties shall immediately after the election make a return to the secretary of state of the number of votes cast in their respective counties "For the question" and the number of votes cast "Against the question". The governor, secretary of state and attorney general and reporter shall publicly calculate and compare the votes in the same manner as required pursuant to §2-8-110, and announce the results.

(d) If the majority vote is for the question, the department of revenue shall proceed to collect the tax in the manner provided in the legislation imposing or increasing the tax, provided that such tax or increase shall not take effect until January 1 of the year next following such election.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to any tax imposed by the One Hundred First General Assembly or any subsequent General Assembly.